

IN RE:
RICHARD RAIMUNDI MORALES
NORALYN TIRADO ROBLES

DEBTOR (S)

CASE NO. 10-05956-ESL

CHAPTER 13

**TRUSTEE'S UNFAVORABLE REPORT
ON PROPOSED PLAN CONFIRMATION UNDER §1325**

TO THE HONORABLE COURT: NOW COMES, José R. Carrión, Chapter 13 Trustee, and very respectfully alleges and prays:

This is the Trustee's position regarding the request, under **11 U.S.C. §1325**, for the confirmation of a Chapter 13 Plan.

Debtor(s)' Income: **Above Median / 60 months commitment period.**

Gen Unsecured Pool: **\$33,512.40**

The **LIQUIDATION VALUE** of the estate has been determined in **\$77,690.00**

R2016 STM. \$3,000.00

TOTAL ATTORNEYS FEES THRU PLAN: \$2,389.00 Fees paid: \$0.00 Fees Outstanding: \$2,389.00
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With respect to the proposed (amended) Plan dated: **August 06, 2010** (Dkt 22).

Plan Base: **125,000.00**

The proposed (amended) plan can not be confirmed because it has the following deficiencies:

- Insufficiently Funded to pay what it proposes (or needs) to pay [§1325(a)(6)]

- Feasibility [§1325(a)(5)]: Plan fails to provide for an allowed secured claim.

The proposed plan fails to provide for IRS' secured claim and Popular Auto's secured arrears. (Claims 11 and 4 respectively)

- Other/Comments

NONE.

Due to the above described deficiencies in the proposed plan the Trustee Objects to the Confirmation of the same.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(s), and to her/his/their attorney through CM-ECF notification system.

In San Juan, Puerto Rico this September 20, 2010.

/s/ Jose R. Carrion

/s/ Nannette Godreau -Staff Attorney

JOSE R. CARRION

CHAPTER 13 TRUSTEE

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